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on JUNE 29, 2001
David Edwards
David Edwards, Reg. No. 27,293
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Patent
Modi Case 3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent application of:

Jashawant J. Modi

Serial No.: 08/992,150

Filed: December 17, 1997

For: Hydrophobically Modified Polysaccharide
In Household Preparations

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) Examiner: E. J. Webman
)
) Art Unit: 1615
)
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)

Honorable Assistant Commissioner For Patents
Washington, D.C. 20231

Sir:

Supplemental Response

This is further in response to the Official Action dated December 13, 2000.

In our interview with Examiner Webman, it was decided that applicant should clarify exactly what is the definitions of "household" and "personal care" products. Mr. Webman would like to see a clear definition of these terms and literature references that supported the definition.

Applicant on page 2 in lines 11 and 12 of the specification of the present invention defines household products "as a cleaning, sanitizing, polishing, pesticide, or toilet preparation". On pages 5 to 7, applicant further defines the active ingredients for household products. Applicant in his counterpart application directed


to personal care products (SN 08/855,779) has defined personal care on page 1 in lines 11 to 17 in a non-exhaustive listing of products that are used to protect, pamper, cleanse, and generally take care of the body. In lines 6 and 7 of the application SN 08/855,779, applicant further defines the active ingredients in more detail for personal care products. The definitions set forth in these applications do not overlap.

In the attached 1999 Annual Report of the Colgate-Palmolive Company, a leader in the marketing of Personal Care and Household products, this piece of literature further demonstrates personal care and household products are separate product lines, although they are marketed by the same company. Throughout this report, the company has different managers for personal care products and household products. On page 28 of this report, the company has labeled the product areas as oral care, personal care, household surface care, fabric care, pet nutrition, and others for marketing convenience. It is obvious that oral care is part of personal care and that fabric care is part of household care. The company has listed (and obviously so) toothpaste, oral rinses and toothbrushes, bar and liquid soaps, shampoos, conditioners, deodorants and antiperspirants and baby and shave products as personal care products. Laundry and dishwashing detergents, fabric softeners, cleansers and cleaners, bleaches and other similar items are listed as household products.

Another piece of literature that demonstrates the differences between household products and personal care products is the attached Procter & Gamble brochure that shows on page 4 its market segmentations. Although P&G uses slightly different wording to label these market segments, it means the same thing as the wording applicant uses. P&G refers to household products as "Fabric & Home Care" and "Tissue & Towels"; it refers to personal care products as "Beauty Care & Global Fine Fragrances" and "Baby Care".

In summary, applicant's definitions in its household product applicant (the instant application) and his personal care product application (SN 08/855,779) coupled with the above mentioned literature references, it is clearly demonstrated that personal care products and household products are separate and distinct lines of products in the marketplace.

Respectfully submitted,


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June 29, 2001